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# Service Connection: The Maine Drinking Water Program Newsletter, Volume 20, Issue 2 (Summer 2012)

Maine Department of Health and Human Services

Maine Center for Disease Control and Prevention

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Maine Center for Disease  
Control and Prevention

An Office of the  
Department of Health and Human Services

Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

# Service Connection

THE DRINKING WATER PROGRAM NEWSLETTER  
"Working Together for Safe Drinking Water"

Volume 20 Issue 2  
Summer 2012



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## An FYI on Chemical and Product Approvals

*Daniel Piasecki, Field Inspector & SRF Project Manager*

You have probably heard this message more than once: all chemicals used for treating drinking water must be certified to NSF/ANSI Standard 60 and all products that come in

contact with drinking water must be certified to NSF/ANSI Standard 61. This requirement is meant to insure drinking water safety and is included in the State of Maine Rules Relating to Drinking Water. Mind you, there are a few exemptions that the Rules allow, but generally, anything added to, or coming in contact with the water, needs to be certified to these Standards.

Certification to NSF/ANSI Standards insures that only products that have been tested and certified to be safe are used. Plumbing fittings with high lead content and industrial chemicals that contain high levels of harmful byproducts are examples of what these requirements help protect against. While it is true other products that are not certified might be safe, these uncertified products did not undergo the same evaluation process using independent certification, and therefore, should not be used.

Organizations that provide certification services for the NSF/ANSI Standards include NSF International (NSF), Underwriters Laboratories (UL), and Water Quality Association (WQA). For those who are curious, NSF is both a certification agent and the administrator of the Standards; however, the Standards themselves are not developed by NSF directly. Instead, a

group consisting of public health regulators, product manufacturers, and product user representatives, develop the Standards.

The easiest way to ensure compliance is finding a label on the product or package. So, what happens when there is no label? Does it mean the product cannot be used? It depends. All products certified by UL do require labeling. Period. Most of the products certified by WQA also require labeling. But products certified by NSF do not require labeling and may still be acceptable. Documentation that accompanies



shipments such as a packing slip or a bill of lading, may indicate that a product is certified. When the paperwork indicates a product is certified, there should be a check to ensure the product listed matches what was actually delivered. If no such paperwork exists, another place to check is online.

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"Working Together for Safe Drinking Water"

## Service Connection

### Director's Corner

#### The Annual Drinking Water Fee

Every year around July 1st, the Drinking Water Program sends an invoice titled "Annual Drinking Water Fee," to all public water systems. This annual Drinking Water Fee pays for the salaries and costs of five full-time positions at the Drinking Water Program.

The assessment of the annual fee began in 1993, when the Maine Legislature passed legislation (MRS 22 §2660-B through G) creating the Public Drinking Water Fund, which authorized the Department of Health and Human Services (DHHS) to charge fees to public water systems.

DHHS received primacy from the federal Environmental Protection Agency (EPA) in 1976 to enforce the federal Safe Drinking Water Act in Maine. In the early 1990's, EPA determined that DHHS needed additional staff to effectively enforce the Safe Drinking Water Act. The Legislature agreed that additional staff positions should be added to the Department. The Legislature determined a fee for each public water system was the most appropriate method to pay for the additional positions.

When the Legislature created the annual fee, it also created the Maine Public Drinking Water Commission (Commission) to provide oversight of the Drinking Water Program and the annual fee structure. The Commission is comprised of nine members, including eight representatives from the drinking water industry and the Commissioner of DHHS or the Commissioner's designee. The Commission annually reviews the expenditures of the Drinking Water Program and the fees assessed on public water systems.

#### What are the Benefits of Maintaining Primacy?

There are a number of provisions with the Safe Drinking Water Act which allows primacy States greater flexibility in meeting the federal requirements as well as access to more federal funds. Some of the benefits to Maine public water systems include:

- Access to an average of \$9 million per year since 1996, for the Drinking State Revolving Fund;
- Access to other federal funding for state projects;
- Cost reductions through the ability to offer "waivers" to some water tests;
- Local control of requirements and enforcement actions – buffer between federal regulators and public water systems;
- Service to water systems by professionals who understand local conditions; and
- The opportunity for state legislative input to major regulatory directions.

If you have any questions about the Annual Drinking Water Fee or the benefits of Primacy, please give us a call.

Yours for Safe Drinking Water,

*Roger*



## Service Connection

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The Department of Health and Human Services (DHHS) does not discriminate on the basis of disability, race, color, creed, gender, sexual orientation, age, or national origin, in admission to, access to, or operations of its programs, services, or activities, or its hiring or employment practices. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and in accordance with the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975 and the Maine Human Rights Act. Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to DHHS's ADA Compliance/EEO Coordinator, State House Station #11, Augusta, Maine 04333, (207) 287-4289 (V), (207) 287-2000 (TTY). Individuals who need auxiliary aids for effective communication in program and services of DHHS are invited to make their needs and preferences known to the ADA Compliance/EEO Coordinator. This notice is available in alternate formats.

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## Reporting Lab Results to the Drinking Water Program

*Carlton Gardner, Compliance & Enforcement Team Leader*

In the last newsletter we discussed who is responsible for reporting lab results to the Drinking Water Program. The water system's certified lab must send in the results, but ***the ultimate responsibility lies with the public water system.*** If your lab is sending you the results attached to an e-mail, the DWP recommends that you ask your lab to e-mail the results to [dwplabsubmit@maine.gov](mailto:dwplabsubmit@maine.gov) at the same time. Then you, as the public water system, can see that the results have been submitted to the Maine Drinking Water Program.

**Reminder:** Lab results need to be submitted to the Drinking Water Program by the 10th day of the following month. We always suggest to water systems that they test as early in the compliance period as possible. This early sampling allows time for the lab to analyze and report, while allowing for additional time if there is a problem with delivery to the lab or with the lab analysis, and a sample needs to be resubmitted. A complete list of labs can be found on our website at [www.medwp.com](http://www.medwp.com) and clicking on "Laboratory Certification" in the right hand navigation column.

### New Staff

#### McKenzie Parker



McKenzie Parker joins the Drinking Water Program as the new Field Inspector and DWSRF Project Manager working out of the Portland Regional Office. McKenzie earned a bachelor's degree in Mechanical Engineering from the University of Maine, Orono, graduating in May 2011. Prior to joining the Maine Drinking Water Program, McKenzie worked at the USGS Water Science Center where she focused on groundwater quality field work and surface water flow measurements. McKenzie can be reached at 557-2255 or [mckenzie.parker@maine.gov](mailto:mckenzie.parker@maine.gov).



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## Service Connection



### Drinking Water State Revolving Fund (DWSRF) Update

*Norm Lamie, Chief Engineer*

#### 2012 DWSRF Status

The Legislature passed LD 359 and Governor LePage is allowing Maine voters to decide on this initiative on the November 2012 ballot. If passed, the bill would provide approximately \$3.6 million of State Match for the 2012 and 2013 Drinking Water State Revolving Fund. During the 2011 Legislative Session, the Legislature and Governor approved, as part of the biennial budget, a 10-year funding plan for the DWSRF match. With the renewal of the wholesale liquor contract in 2014, a portion of the revenue to the State will be dedicated to the State Match for the DWSRF. It is anticipated that the State Wholesale Liquor Contract will provide the State Match needs for 2014 through 2023.

#### 2013 DWSRF Applications and Local Income Surveys

The project applications for 2013 DWSRF will be mailed out by the end of July. The deadline for submitting applications will be September 28, 2012. Starting last year, the American Community Survey 5-Year Estimates (2006-2010), prepared by the U.S. Census

Bureau, was used for determination of the Median Household Income (MHI) for a community.

A median household income of \$46,541 per year or less is required to qualify for receipt of Disadvantaged Community System assistance. The income data used to determine median household income should be that which most accurately reflects the income of the year-round residential customers in a water system's service area. This data can be reported from either the American Community Survey 5-Year Estimates (2006-2010) prepared by the U.S. Census Bureau, or from a more current independent system income survey. If you intended to use an independent Income Survey, the survey must be completed prior to, and included with, the SRF funding application. Income surveys must be conducted by an independent third party using a methodology approved by the Drinking Water Program. Income surveys are not valid for more than three years.

Applicants for 2013 who anticipate requesting principal forgiveness may want to consider completing an independent Income Survey. NOW is the time to undertake your local income survey.

Questions regarding the 2013 DWSRF application process should be directed to Norm Lamie at (207) 287-2647 or Nate Saunders at (207) 287-5685.



### Recipe for Fluoride Quality Control

- 1) Gather fluoridation data from the 2011 year, including Monthly Operating Reports (MORs) from 66 fluoridating water systems.
- 2) Enter data into a federal database called Water Fluoridation Reporting System (WFRS).
- 3) Mix in compliance data (split samples) for comparison.
- 4) Double check all ingredients, print out, share. (*United States Center for Disease Control, Association of State & Territorial Dental Directors, and the American Dental Association*)

#### *What's the result?*

**65** State of Maine Quality Awards  
**49** USCDC Quality Certificates  
**1** State-wide Fluoridation Quality Award

#### **The fluoride data for 2011 was fantastic!**

Maine water operators are diligent and are commended for achieving a high level of quality control in the daily adjustment of optimum fluoride levels in drinking water.

**Thank you to all of Maine's Water Operators!**



### Maine Receives 2011 State Fluoridation Awarded

Maine was one of only 9 states to receive the 2011 State Fluoridation Quality Award, jointly awarded by the Association of the State & Territorial Dental Directors, the American Dental Association, and the U.S. Centers for Disease Control and Prevention (U.S. CDC). This award, announced at the National Oral Health Conference on May 1st, recognizes states for maintaining the quality of fluoridation as determined by the ability of fluoridating water systems to conduct monitoring and maintain optimal fluoride levels. The basis for the award is the documentation of consistent optimally fluoridated water in over 90% of the adjusted water systems by data obtained from the U.S. CDC's Water Fluoridation Reporting System for a minimum of 9 months in a calendar year.





## Enforcement Corner

*Dawn Abbott, Enforcement Specialist*

EPA has granted Maine primacy to enforce the federal Public Notification Rule. In an effort to resolve some lingering Public Notification Rule violations, the Drinking Water Program is working on notifying public water systems that they need to provide proof that the public notices were provided or post the notices to resolve any outstanding violations. In order to avoid an escalation to formal enforcement and clarify public notification requirements, the following article intends to assist systems in notifying the public and complying with the Public Notification Rule.

### About the Public Notification Rule

#### What is the Public Notification Rule (PNR)?

The PNR requires all Public Water Systems (PWSs) to notify their consumers when they incur a violation (such as exceeding a maximum contaminant level or failing to test or report for a contaminant), experienced a waterborne disease outbreak, or in any other situation posing a risk to public health. The PNR also requires a PWS to notify its consumers of any variances or exemptions granted by the Drinking Water Program (DWP). Depending on the severity of the situation, public water suppliers must notify their consumers within a

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time period ranging from 24 hours to one year. EPA sets strict requirements on the form, manner, content, and frequency of these public notices.

#### Which PWSs are affected by the Public Notification Rule?

All PWSs are affected by the regulation, regardless of their size or type.

#### What information must be included in Public Notification?

- A description of the violation or situation that occurred, including the potential health effects;
- When the violation or situation occurred;
- Potential adverse health effects;
- The population at risk;
- Whether alternate water supplies need to be used;
- Actions that consumers may implement;
- What the water system is doing to correct the problem;
- When the PWS expects the problem to be resolved;
- How to contact the PWS for more information;
- Language encouraging broader distribution of the notice.

#### Want more information on the Public Notification Rule?

The Code of Federal Regulations, 40 CFR 141, Subpart Q, outlines the full requirements are outlined, which are directly incorporated into Maine's Rules Relating to Drinking Water. For any further questions, contact your compliance officer directly, or Dawn Abbott at 287-6471.

### 'NSF' continued from cover...

The NSF website lists products that they have certified but does not include listings for products certified by other organizations. The same is true for both the WQA and UL websites. The challenge with checking online is that manufacturers may be making both certified and uncertified products – one needs to be careful to ensure a product being checked is the identical product listed on a website. There are two parts to using a website to check products: facility and trade designation. A company cannot manufacture a certified and an uncertified product at a facility using the same trade designation.

#### Example:

Per the NSF website, the FMC Corporation "Soda Ash Dense" manufactured at the Wilmington, DE facility is certified to NSF/ANSI

Standard 60. This certification is regardless of whether the product packaging is marked as certified. And FMC cannot use "Soda Ash Dense" to brand any uncertified product processed at their Wilmington facility.

If there are still questions regarding certification, then it would be appropriate to contact the product supplier.

Compliance with NSF/ANSI Standards typically gets reviewed during sanitary surveys and as part of design proposal evaluations. But water systems should check this standard more frequently than when their Field Inspector visits, or whenever a treatment change occurs. A water system should perform this review each time it receives a shipment of treatment chemicals or materials that will come in contact with the drinking water. For chemicals, the Rules prescribe the following: "Compliance with these

standards shall be met at the point of delivery."

The goal of this requirement is not to turn deliveries into large research projects. We know water systems have a lot to do. Water systems and the DWP want to assure that safe products are used in treating and conveying drinking water. It's important that you document your diligence in meeting this goal.

#### The NSF Products and Service Listings website is:

[http://www.nsf.org/business/search\\_listings/index.asp](http://www.nsf.org/business/search_listings/index.asp)

#### The WQA Product Certification website is:

<http://www.wqa.org/goldseal/goldsealSearch.cfm>

#### The UL Product Certification website is:

<http://database.ul.com/cgi-bin/XYV/template/LISEXT/1FRAME/index.htm>



## Water Operator Board News

*Teresa Trott, Licensing Officer*

**Update:** New rules in place for 2012 establish separate fees for exams and licensure. The changes allow persons to take whichever exam they feel most comfortable taking, rather than meeting the requirement for sequential exams. The new rules also

allow for computer based testing for exams administered on a computer in an Applied Measurement Professionals, Inc. (AMP) proctored site in Portland. The initial results from examinees are favorable and score averages have increased. The Board is also working to establish a location in the north-central area of the State. Paper exams will be offered in Presque Isle on October 25, 2012. Applications for the exam must be postmarked by September 1st.

### **Operator Responsibilities:**

There have been some recent instances of unlicensed persons performing operator tasks without the permission of the operator. The following regulations summary is designed to provide a reminder of operator legal responsibilities.

**Regulations Summary:** All community, non-transient non-community systems and transient systems using surface water or ground water under the influence of surface water must be operated by water operators licensed in Maine. Owners of these systems must place all water quality and quantity decisions in the responsible charge of an operator holding the appropriate level of license when water is served

to the public. Persons operating a water system must be licensed.

### **An operator must:**

- ✓ Be available during all operating times for treatment and/or distribution tasks;
- ✓ Develop and have written instructions available;
- ✓ Keep systems well maintained and ready for unexpected events;
- ✓ Review and submit operating reports; and
- ✓ Train back up persons to perform tasks and follow written instructions.

### **Unlicensed persons performing operator tasks must:**

- ✓ Call the designated operator when water quality or quantity changes occur, like leaks, well pumps, treatment needs.
- ✓ Ask for, and follow instructions and the advice of the designated operator, including maintenance needs, sampling locations and times, treatment procedures.
- ✓ If you share in tasks such as sampling and water quality monitoring, perform them on time, and inform the operator of any changes.

Remember, operators can delegate the task, but not the responsibility.

**Licensing & Training:** Operators, keep your license current and attend training that will help you and your system over the two-year renewal cycle.

## Water Operator Board Vacancy

The Class IV license representative to the Board of Licensure is open. Qualifications include holding an active Class IV Treatment or Distribution License and time commitment to actively prepare for and participate in four meetings per year and other responsibilities as needed. The Board is responsible to ensure operators are qualified to supervise public water systems to protect health. The Board sets education and experience qualifications, determines exam content and approves courses for Training Contact Hours (TCHs). Information concerning Governor appointed positions may be found at <http://www.maine.gov/governor/lepage/cabinet/appointments/index.shtml>. You may also contact Terry Trott at 287-7485 for more information.





## Collaboration for Safe Drinking Water

*Andrews Tolman, Assistant Director*

In 2003, the DWP completed assessments of risks to public water sources in Maine, with help from our public water systems. We were surprised to find that the biggest risk to safe and secure drinking water was future development near water sources. Most water systems had carefully chosen the cleanest, least threatened source they could afford to develop. What they hadn't been able to do, with a few exceptions, is control all the land that provided them with clean water. As Maine's population dispersed from town centers to the country in the last thirty years, much of that development encroached on water supply areas.

Neither water systems nor the DWP have the authority to manage land use development, short of buying land. Therefore, we increased our efforts to find allies who could help us in ensuring safe and secure drinking water for future generations. We looked for entities with interests in clean water, and in land uses that protect clean water. Developing alliances is a long process, and almost a decade later, we're still working on it. We have examples of progress that encourage us to continue to work with a wide variety of allies.

The Portland Water District has worked on source protection for over a century. Much effort is concentrated in the Lower Bay of Sebago Lake, where, through a sustained program, they now have ownership or control of nearly all the shoreline area, and have established the Sebago Lake Land Reserve on 2,500 acres of land, where low intensity recreation is permitted. This level of effort is not achievable for 440 square miles of watershed. PWD works with the Lakes Environmental Association on regulatory issues in the upper basin and with numerous land trusts to conserve key parcels. In the Crooked River Basin, they are working with the Maine Forest Service, Manomet Center, American Forest Foundation, and Trust for Public Land, among others. They also work with the Soil and Water Conservation District (SWCD) to utilize 319 funds to maintain and improve water quality. Their list of collaborators is more than a page long, and all find common ground in supporting land uses that protect and sustain drinking water resources. Portland is receiving an American Water Works Association (AWWA) national award for exemplary source protection this year.

The Kennebec Woodland Partnership was founded by the Kennebec Land Trust and the Maine Forest Service (MFS) to ensure a sustainable future for the forested landscape in Kennebec County. The Partners recognize that the local economy, wood products markets, recreational opportunities, wildlife habitat, water quality, and quality of life are directly connected to the long-term stewardship of forests and farmlands and the watersheds they protect. The Partnership's goal is to promote forest stewardship by providing landowners with tools and strategies so they can make informed decisions about their woodlands for present

and future generations. The DWP joined the partnership and has worked to engage local water systems. One result is that the Kennebec Water District is working with the MFS and the SWCD to see if it's feasible for them to host a skidder bridge that allows forestry operations to take place with less stream disturbance.

The Salmon Falls River forms part of the border between Maine and New Hampshire, so the 330-square mile watershed is shared by 21 towns in the two states. Municipal water systems in both states use the river as a water supply source. The River is also the largest tributary to the Piscataqua-Great Bay Estuary system, which is the focus of the Piscataqua Region Estuaries Partnership (PREP).

The Salmon Falls Collaborative was launched with support from the national Source Water Collaborative (EPA funds), the NH Department of Environmental Services, and the DWP, with project management provided by PREP and coordination and facilitation by the Wells Reserve Coastal Training Program (CTP). EPA Region 1 has provided staff support and connections with federal agencies such as USDA-Natural Resource Conservation Service. The Collaborative has built upon ongoing 319, storm water, MS4, land trust, municipal, lake association, Rural Water and allied efforts. The Collaborative brings together groups and individuals who were already doing great work in the watershed. We all have common interests in protecting land and water.

The Collaborative developed an Action Plan to guide future work and address priority actions; it contains five goals: Conservation, best management practices, to prevent pollution, to clean up existing pollution, and inspire engagement by communities. The Action Plan identified areas where existing work has left gaps, and the Collaborative is bringing resources, like the NRCS-funded Conservation Activity Plans, to help fill those gaps. The Collaborative is proud to be the recipient of a 2012 US Water Prize for its work so far.



*Part of the Salmon Falls Watershed Collaborative Team at the Clean Water America Alliance's 2012 United States Water Prize awards ceremony*



## Service Connection

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# Important Information Regarding U.S. Postal Service Changes and Mailing Bacteria Samples

## What has changed?

Mail processing changes, implemented by the U.S. Postal Service on July 1, 2012, could delay mail delivery times in Maine, depending on the postal service area. The postal service areas in Maine are divided into a Northern Postal Service Area and a Southern Postal Service Area (see map on reverse side). The Northern Postal Service Area includes towns in northern Maine and some towns in central Maine. The Southern Postal Service Area includes towns in Southern Maine and some towns in central Maine.

The changes mean that water samples mailed from a town within the Northern Postal Service Area will not reach laboratories located in the Southern Maine Postal Service Area in less than two days. The same is also true for samples mailed from towns in the Southern Postal Service Area to laboratories in the Northern Postal Service Area.

## How does this affect me as a public water system?

If you mail bacteria samples from within the Northern Postal Service Area to a lab in the Southern Postal Service Area, **bacteria samples may exceed the 30 hour maximum sample holding time. This means your bacteria sample could be rejected by the laboratory and would not be analyzed.** The same is also true if you mail a sample from within the Southern Postal Service Area to a lab in the Northern Postal Service Area.

## How do I know if the change will affect me?

First-Class Mail sent from Northern Postal Service Area ZIP Codes beginning with 044, 046, 047, and 049, going to any of the following Southern Maine Postal Service Area Zip Codes beginning with 039, 040, 041, 042, 043, 045 and 048 are affected and will now be a two-day delivery instead of overnight. The same is true for the reverse: mail sent from any of the Southern Postal Service Area ZIP Codes to the Northern Postal Service Area ZIP Codes will be affected.

First-Class Mail sent from Northern Postal Service Area ZIP Codes beginning with 044, 046, 047, and 049, going to those same ZIP Codes, will still get overnight service. First Class Mail sent from Southern Postal Service Area ZIP codes beginning with 039, 040, 041, 042, 043, 045 and 048, going to those same ZIP codes, will still get overnight service.

## What should I do to ensure my bacteria sample arrives at my lab in time?

If you are sending bacteria water samples to a laboratory within the same Postal Service Area as you are mailing them from, your delivery should still be overnight and you do not have to do anything different. If you are sending water samples to a laboratory in a different Postal Service Area than you are mailing them from, delivery times will no longer be overnight and you must take action to ensure your bacteria samples arrive at your laboratory in time.

### Some possible options are:

- 1) Send your bacteria sample by expedited shipping (U.S. Postal Service overnight, FedEx overnight or UPS overnight); or
- 2) Choose a laboratory with an address (ZIP Code) in the same Postal Service Area as you are mailing from and continue to use the U.S. Postal Service for your delivery. If you choose a new laboratory, it must be a Maine certified laboratory. For a list of Maine certified labs, visit: [www.medwp.com](http://www.medwp.com) and click on the "Laboratory Certification" link in the right hand column. Please also inform your Compliance Officer if you change your laboratory; or
- 3) Hand deliver your bacteria sample to the lab **within 30 hours** of sample collection.

## What should I do if I'm still unsure if this change will affect me?

You, as a public water system, are responsible for choosing a laboratory and delivery method that will meet hold times for any required samples. If you are unsure, you should check with your laboratory and/or your postal center.

# Postal Service Areas

